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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/688,715

10/17/2003

Mark E. Ramsey

GRD0243.US

2207

7590

08/16/2004

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EXAMINER

TA, THO DAC

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/688,715	Applicant(s) RAMSEY ET AL.	
	Examiner Tho D. Ta	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 6, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/17/03</u> . | 6) <input checked="" type="checkbox"/> Other: <u>sheet 3 of 6 of US 5,096,433</u>       |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Boundy (5,096,433).

In regard to claim 1, Boundy discloses a modular wall panel assembly 10, comprising: a modular wall panel 12, 14, 16, 18; a wiring harness 54 connected to the modular wall panel 12, 14, 16, 18, the wiring harness 54 including a plurality of conductors; and an electrical connector 160 connected to the plurality of conductors, the electrical connector 160 having a plurality of terminal ports 96, 98, 100, 102, 164, 166 and a transverse axis (see attached fig. 11), two pairs of opposed terminal ports 96, 98, 100, 102, 164, 166 facing opposite directions from the transverse axis, each pair having one terminal port 164, 166 positioned further away from the transverse axis and another terminal port 96, 98, 100, 102 positioned closer to the transverse axis.

In regard to claim 2, Boundy discloses a plurality of terminals (see fig. 3) interconnecting the terminal ports 96, 98, 100, 102, 164, 166.

Art Unit: 2833

In regard to claim 3, Boundy discloses that the terminal ports 96, 98, 100, 102, 164, 166 include one infeed 164 and three outfeeds 96, 98, 100.

In regard to claim 4, Boundy discloses that the electrical connector 160 includes at least one attachment element (column 4, lines 38-41 and fig. 1. disclose how connector 40 which is similar to 160 is attached to the panel).

In regard to claim 5, Boundy discloses that at least one modular receptacle 122 connected to the electrical connector 160, each the modular receptacle 122 having a faceplate offset in a longitudinal direction.

In regard to claim 7, Boundy discloses an electrical connector 160 for a modular wall panel assembly 10, comprising: a plurality of terminal ports 96, 98, 100, 102, 164, 166 and a transverse axis, two pairs of opposed the terminal ports 96, 98, 100, 102, 164, 166 facing opposite directions from the transverse axis, each the pair having one terminal port 164, 166 positioned further away from the transverse axis and another terminal port 96, 98, 100, 102 positioned closer to the transverse axis.

In regard to claim 8, Boundy discloses a plurality of terminals (see fig. 3) interconnecting the terminal ports 96, 98, 100, 102, 164, 166.

Art Unit: 2833

In regard to claim 9, Boundy discloses that the terminal ports 96, 98, 100, 102, 164, 166 include one infeed 164 and three outfeeds 96, 98, 100.

In regard to claim 10, Boundy discloses that the electrical connector 160 includes at least one attachment element (column 4, lines 38-41 and fig. 1. disclose how connector 40 which is similar to 160 is attached to the panel).

In regard to claim 11, Boundy discloses a method of electrifying a modular wall panel 12, 14, 16, 18, comprising the steps of: connecting a power infeed 168 to an electrical connector 160, the electrical connector 160 including a plurality of terminal ports 96, 98, 100, 102, 164, 166 and a transverse axis, two pairs of opposed the terminal ports 96, 98, 100, 102, 164, 166 facing opposite directions from the transverse axis, each the pair having one terminal port 164, 166 positioned further away from the transverse axis and another the terminal port 96, 98, 100, 102 positioned closer to the transverse axis; and distributing the electrical power to a first receptacle unit 170 and a second receptacle unit 122 (see fig. 1), the first receptacle unit 170 connected to the terminal port 166 positioned further away from the transverse axis (see attached drawing), the second receptacle unit 122 connected to another terminal port 96 positioned closer to the transverse axis.

In regard to claim 12, Boundy discloses a plurality of terminals (see fig. 3) interconnecting the terminal ports 96, 98, 100, 102, 164, 166.

In regard to claim 13, Boundy discloses that the terminal ports 96, 98, 100, 102, 164, 166 include one infeed 164 and three outfeeds 96, 98, 100.

In regard to claim 14, Boundy discloses that the electrical connector 160 includes at least one attachment element (column 4, lines 38-41 and fig. 1. disclose how connector 40 which is similar to 160 is attached to the panel).

### ***Allowable Subject Matter***

3. Claims 6, 15, 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: In regard to claim 6, the prior art fails to provide, teach or suggest the combination of the as-claimed electrical connector having the as-claimed receptacle received within the cut outs of the wall panel. In regard to claim 15, the prior art fails to provide, teach or suggest each receptacle as-claimed in claims 11 and 14 having a faceplate offset in a longitudinal direction.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

Art Unit: 2833

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**THO D.TA**  
**PRIMARY EXAMINER**

tdt  
08/11/04